

U.S. Patent Application Serial No. 10/645,852
Response filed March 19 2007
Reply to OA dated December 18, 2006

REMARKS

Claim 2 has been canceled without prejudice or disclaimer. Claims 1 and 3 - 21 are currently pending in this patent application, claim 1 being an independent claim.

Claims 1, 8, 10, 13, 14 and 18 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated December 18, 2006.

As to the Examiner's outstanding objection to the Abstract of the Disclosure, as indicated above, the applicants have amended the Abstract in order to avoid the noted informalities therein. Accordingly, the withdrawal of the outstanding objection to the Abstract is in order, and is therefore respectfully solicited.

The specification and claims have been objected to due to certain informalities, which the Examiner deemed needed correction, as set forth in item 4, page 2 and item 5, page 3, respectively, of the outstanding Action. The applicants respectfully request reconsideration of these objections.

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The applicants have amended the specification and claims in order to correct certain informalities therein, including those pointed out by the Examiner. Accordingly, the withdrawal of the outstanding objections to the specification and claims is in order, and is therefore respectfully solicited.

Claims 1 - 21 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the specific reasons set forth in item 7, page 4 of the outstanding Action. The applicants respectfully request reconsideration of this rejection.

As indicated above, claims 1, 8, 10, 13, 14 and 18 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention, and in order to correct the language therein in line with the Examiner's suggestions.

Accordingly, the withdrawal of the outstanding indefiniteness rejection under 35 U.S.C. §112, second paragraph, is in order, and is therefore respectfully solicited.

As to the merits of this case, the following rejections are set forth in the outstanding Action:

(1) claims 1 - 4, 6, 7 and 12 are rejected under 35 U.S.C. §102(e) as being anticipated by Tobimatsu (U.S. Patent No. 6,608,965);

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(2) claims 10, 13, and 15 - 17 are rejected under 35 U.S.C. §103(a) based on Tobimatsu in view of Nojima (U.S. Patent No. 6,864,879);

(3) claims 19 and 21 are rejected under 35 U.S.C. §103(a) based on Tobimatsu in view of Liu (U.S. Patent No. 6,618,329); and

(4) claim 20 is rejected under 35 U.S.C. §103(a) based on Tobimatsu in view of Nojima and Liu.

The applicants respectfully request reconsideration of these rejections.

At this time, the applicants respectfully acknowledge, with appreciation, the Examiner's pointing out that claims 5, 8, 9, 11, 14 and 18 would be allowable if rewritten in the manner suggested in item 13, page 11 of the outstanding Action. It is believed that the subject claims have been amended to overcome the outstanding indefiniteness rejection under 35 U.S.C. §112, second paragraph. However, for the reasons more fully discussed below, to further amend the claims in the manner suggested by the Examiner would unnecessarily narrow or limit the scope of the claims to which the applicants are entitled.

The applicants' claimed invention, as now recited in independent claim 1, is directed to a switch device, which includes a base part; an operation unit which is to be depressed; a support section provided on the base part, the support section supporting a portion around an outer periphery

of the operation unit in a manner that at least a part of the operation unit is movable toward and away from the base part by the depressing and is biased to be away from the base; and a motion-detecting section provided on at least one of the base part and the support section at a position corresponding to the portion around the outer periphery of the operation unit. As now recited in claim 1, the motion-detecting section detecting the motion of the portion around the outer periphery of the operation unit toward the base part by the depressing. As now further set forth in claim 1, the support section has a plurality of spring members provided at a position corresponding to the portion around the outer periphery of the operation unit, the spring members applying a restoring force by an elastic deformation, the restoring force of the spring members constantly biasing the at least a part of the operation unit to be away from the base part.

Significant structural arrangements of the applicants' claimed invention, as now set forth in claim 1, include the claimed support section having a plurality of spring members provided at a position corresponding to the portion around the outer periphery of the operation unit, the spring members applying a restoring force by an elastic deformation, the restoring force of the spring members constantly biasing the at least a part of the operation unit to be away from the base part.

Tobimatsu, on the other hand, only teaches springs 108 and 112 located at the center of a jog shuttle, and does not teach spring members provided at a position corresponding to a portion around the outer periphery of an operation unit.

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Accordingly, since not all of the claimed elements or features of the applicants' claimed invention, as now recited in claim 1 (and the claims dependent therefrom), are found in exactly the same situation and united in the same way to perform the identical function in Tobimatsu's apparatus, there can be no anticipation of the applicants' claimed invention under 35 U.S.C. §102(e) based on the teachings of Tobimatsu.

In view of the above, the withdrawal of the outstanding anticipation rejection under 35 U.S.C. §102(e) based on Tobimatsu (U.S. Patent No. 6,608,965) is in order, and is therefore respectfully solicited.

Furthermore, claim 1 has been amended so as to highlight that the claimed support section includes a plurality of spring members provided at a position corresponding to the portion around the outer periphery of the claimed operation unit. According to such claimed arrangements, the responsiveness of the switch device is one that simulates a turntable, which is usually operated on the portion around the outer periphery thereof. This is especially true when the diameter of the (turntable-like) switch device is great and a low-stroke switch such as a membrane switch (see, line 25, page 13 of the applicants' specification) is employed. Moreover, the employment of the claimed spring members on portion around the outer periphery facilitates disposing a display at the center of the switch device.

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As discussed above, the primary reference of Tobimatsu only teaches springs 108 and 112 located at the center of a jog shuttle, and does not disclose spring members provided at a position corresponding to the portion around the outer periphery of an operation unit. The cited secondary references similarly do not disclose such deficiencies or drawbacks in the teachings of the primary reference, Tobimatsu, in failing to fully meet the applicants' claimed invention, as recited in claim 1 (and the claims dependent therefrom).

As such, a person of ordinary skill in the art would not have found the applicants claimed invention obvious under 35 U.S.C. §103(a) based on the cited prior art references, singly or in combination.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are in condition for allowance, which action, at an early date, is requested.

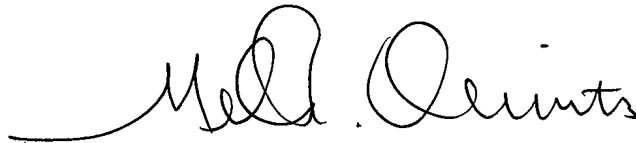
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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